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SUBJECT: QUESTIONS AND ANSWERS ON PROTOCOL I OF TREATY OF
TLATELOLCO

1. FOLLOWING ARE Q'S AND A'S PREPARED FOR DEPARTMENT'S
APRIL 15 PRESS BRIEFING. ADDRESSEES MAY DRAW ON THEM IN
RESPONSE TO QUERIES.
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Q. WHAT IS THE TREATY OF TLATELOLCO?

A. IT IS A MAJOR ARMS CONTROL TREATY WORKED OUT BY THE
LATIN AMERICAN STATES IN THE MID 1960S CREATING A NUCLEAR
WEAPON-FREE ZONE IN LATIN AMERICA. IT ESTABLISHES THE
WORLD'S ONLY NUCLEAR WEAPON FREE ZONE COVERING A LARGE

INHABITED REGION. ITS PARTIES NOT ONLY FOREGO THE ACQUISITION OF NUCLEAR WEAPONS, BUT UNDERTAKE TO PREVENT THEIR INSTALLATION, STORAGE, DEPLOYMENT, OR TESTING IN THEIR RESPECTIVE TERRITORIES. THEY ALSO AGREE TO ACCEPT INTERNATIONAL SAFEGUARDS ON ALL THEIR NUCLEAR ACTIVITIES.

Q. WHO ARE THE PARTIES?

A. IT HAS BEEN SIGNED BY ALL LATIN AMERICAN STATES EXCEPT CUBA AND GUYANA. IT HAS BEEN RATIFIED BY ALL ITS SIGNA-

TORIES EXCEPT ARGENTINA AND SURINAM, BUT IT IS NOT YET IN FORCE FOR BRAZIL OR CHILE.

Q. WHAT IS PROTOCOL I?

A. IT IS A PROTOCOL DESIGNED FOR SIGNATURE BY STATES OUTSIDE OF LATIN AMERICA WHICH HAVE TERRITORIES IN THE LATIN AMERICAN REGION. BY JOINING THIS PROTOCOL THEY AGREE TO SUBJECT SUCH TERRITORIES TO OBLIGATIONS COMPARABLE TO THOSE THE LATIN AMERICAN PARTIES HAVE UNDERTAKEN.

Q. WHAT US TERRITORIES ARE INVOLVED?

A. PRIMARILY PUERTO RICO, THE VIRGIN ISLANDS, THE PANAMA CANAL ZONE AND OUR MILITARY BASE AT GUANTANAMO. PANAMA HAS ALREADY RATIFIED THE TREATY, AND AS YOU KNOW, WE HAVE ONGOING NEGOTIATIONS WITH PANAMA WITH RESPECT LIMITED OFFICIAL USE

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TO THE FUTURE OF THE CANAL ZONE. OUR ADHERENCE TO PROTOCOL I WILL MAKE IT CLEAR THAT THE CANAL ZONE IS COVERED BY THE TLAELOLCO OBLIGATION, BUT RIGHTS OF TRANSIT THROUGH THE CANAL WILL BE IN NO WAY AFFECTED.

Q. WHY WON'T TRANSIT BE AFFECTED?

A. THE TREATY WAS NOT INTENDED TO AFFECT CUSTOMARY INTERNATIONAL LAW ABOUT A STATE'S RIGHT TO GRANT TRANSIT AND TRANSPORT RIGHTS. IT IS THE SAME UNDER THE PROTOCOL.

Q. DO WE HAVE ANY NUCLEAR WEAPONS IN THOSE TERRITORIES NOW?

A. IT IS AGAINST US POLICY TO CONFIRM OR DENY THE PRESENCE OF NUCLEAR WEAPONS IN ANY PARTICULAR LOCATION, BUT IT IS CLEARLY OUR INTENTION TO FULFILL OUR OBLIGATIONS UNDER THE PROTOCOL.

Q. WHY DID WE NOT ADHERE TO THIS PROTOCOL EARLIER?

A. PREVIOUS ADMINISTRATIONS INDICATED THAT THEY WOULD BE PREPARED TO HAVE THE CANAL ZONE INCLUDED IN THE TREATY, SUBJECT TO A CLEAR UNDERSTANDING THAT THE WELL-ESTABLISHED RIGHTS OF TRANSIT THROUGH THE ZONE WOULD NOT BE AFFECTED, AND TO HAVE GUANTANAMO INCLUDED IF CUBA JOINED THE TREATY. THEY WERE NOT PREPARED TO INCLUDE PUERTO RICO AND THE VIRGIN ISLANDS.

Q. WHY HAVE WE CHANGED OUR MINDS?

A. THIS ADMINISTRATION REASSESSED THE ENTIRE QUESTION AND CONCLUDED THAT IT WOULD BE IN OUR NET INTEREST TO TAKE THIS STEP. IT IS SUPPORTIVE BOTH OF OUR LATIN AMERICAN RELATIONS AND OUR NON-PROLIFERATION OBJECTIVES. LIMITED OFFICIAL USE

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Q. HAS ANY OTHER STATE JOINED PROTOCOL I?

A. YES, BOTH THE UNITED KINGDOM AND THE NETHERLANDS HAVE RATIFIED THAT PROTOCOL. FRANCE HAS NOT YET DONE SO.

Q. HAS THE UNITED STATES TAKEN ANY PREVIOUS ACTION TO SUPPORT THE TREATY?

A. YES. WE ARE A PARTY TO PROTOCOL II, WHICH IS OPEN FOR SIGNATURE BY NUCLEAR WEAPON STATES. UNDER IT WE ARE BOUND TO RESPECT THE DENUCLEARIZED ZONE, NOT TO CONTRIBUTE TO ANY VIOLATION OF THE TREATY, AND NOT TO USE OR THREATEN TO USE NUCLEAR WEAPONS AGAINST PARTIES TO THE TREATY WHICH COMPLY WITH THEIR OWN OBLIGATIONS UNDER IT. WE RATIFIED THIS PROTOCOL IN 1971.

Q. HAS ANY OTHER STATE RATIFIED THAT PROTOCOL?

A. YES. THE UNITED KINGDOM, FRANCE AND THE PEOPLE'S REPUBLIC OF CHINA. THE SOVIET UNION HAS NOT YET DONE SO.

Q. WHAT EFFECT WILL US ADHERENCE HAVE ON OUR RELATIONS WITH CUBA?

A. ONE OF THE REASONS STATED BY CUBA IN THE PAST FOR NOT SIGNING THE TREATY WAS US NON-ADHERENCE TO PROTOCOL I. THEREFORE, PRESUMABLY CUBA WOULD WELCOME OUR ACTION, AND WE WOULD HOPE IT WOULD FACILITATE CUBAN ADHERENCE

TO THE TREATY.

Q. HAVE WE BEEN IN TOUCH WITH CUBA ON THIS?

A. NO.

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Q. WHY HAVE WE ABANDONED OUR PREVIOUS CONDITION THAT GUANTANAMO COULD ONLY BE INCLUDED IF CUBA JOINED THE TREATY?

A. THE ADMINISTRATION RECENTLY CONDUCTED A THOROUGH REVIEW OF THE IMPLICATIONS OF US ADHERENCE AND CONCLUDED THAT US SECURITY WOULD NOT BE ADVERSELY AFFECTED BY INCLUDING GUANTANAMO BEFORE CUBAN ADHERENCE. MOREOVER, IT WAS CONCLUDED THAT, ASIDE FROM THE CUBAN QUESTION, THERE WERE IMPORTANT REASONS FOR GOING AHEAD AT THIS TIME, PARTICULARLY IN TERMS OF US RELATIONS WITH LATIN AMERICA AND US NON-PROLIFERATION OBJECTIVES.

Q. DOES THE ANNOUNCEMENT AT THIS TIME HAVE ANY RELATIONSHIP TO THE PRESENT DISAGREEMENT WITH BRAZIL OVER ITS ACQUISITION OF SENSITIVE NUCLEAR FACILITIES?

A. THE QUESTION OF US ADHERENCE TO PROTOCOL I HAS NOT BEEN RAISED IN THE CONTEXT OF OUR DISCUSSIONS WITH BRAZIL. HOWEVER, BRAZIL SUPPORTS THE TREATY OF TLATELOLCO, AND OUR ADHERENCE DEMONSTRATES THE COMMON OBJECTIVE OF THE TWO COUNTRIES IN PROMOTING NON-PROLIFERATION IN LATIN AMERICA.

Q. WOULD PROTOCOL I AFFECT THE POSSIBILITY OF PUERTO RICO BECOMING A STATE?

A. PROTOCOL I ADHERENCE WOULD NOT FORECLOSE ANY OPTIONS REGARDING THE FUTURE STATUS OF PUERTO RICO. WE ARE CONSIDERING RECORDING AN UNDERSTANDING AT THE TIME OF SIGNATURE THAT WOULD HAVE THE EFFECT OF PRESERVING OUR FLEXIBILITY IN THE EVENT OF ANY CHANGE IN THE LEGAL STATUS OF ANY OF THE TERRITORIES COVERED BY PROTOCOL I. OF COURSE, WE WILL BE IN CLOSE TOUCH WITH PUERTO RICAN AUTHORITIES ON THESE MATTERS.

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